

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

MONSANTO COMPANY and	)	
MONSANTO TECHNOLOGY LLC,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
E.I. DUPONT DE NEMOURS AND	)	Case No. 4:09-cv-00686-ERW
COMPANY and	)	
PIONEER HI-BRED INTERNATIONAL,	)	
INC.,	)	
	)	
Defendants.	)	

**MONSANTO'S EIGHTH MOTION TO COMPEL  
(THIRD MOTION TO COMPEL PRODUCTION OF RECALLED DOCUMENTS**

Pursuant to Paragraphs 25-26 of the Protective Order entered June 28, 2010 (Docket No. 238), Plaintiffs, Monsanto Company and Monsanto Technology LLC (collectively "Monsanto"), respectfully move this Court to compel Defendants, E.I. du Pont de Nemours and Company ("DuPont") and Pioneer Hi-Bred International, Inc. ("Pioneer") (collectively "Defendants") to reproduce eighteen documents produced to Monsanto in redacted form in their entirety. In the alternative, Monsanto respectfully moves the Court to conduct an *in camera* review of Defendants' redactions of each of these documents and subsequently order Defendants to produce all documents in full which the Court determines to be non-privileged. Monsanto sets forth its grounds for relief in the Memorandum of Law in Support of said Motion with Exhibits A, B, C, and D filed concurrently herewith.

Pursuant to Local Rule 37-3.04, counsel for the parties have met and conferred in a good faith attempt to resolve their discovery disputes as follows:

- Monsanto wrote to Defendants on April 19, 2011 challenging their recall of each of these documents.
- Defendants responded on April 19, 2011, producing two of the eighteen documents in redacted form.
- Defendants replied again by letter on April 25, 2011, producing all of the documents in redacted form, making clear that they will not agree to produce the documents in their entirety.

WHEREFORE, Monsanto respectfully moves the Court for an Order compelling Defendants to produce documents in response to Monsanto's discovery requests identified in this Motion within 10 days of the Court's Order.

Dated: May 3, 2011

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 3rd day of May, 2011, the foregoing was filed electronically with the Clerk of the Court for the United States District Court for the Eastern District of Missouri, Eastern Division, and was served by operation of that Court's electronic filing system, upon the following:

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